

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

V.

ANTHONY GILBERT MARTINEZ, JR.

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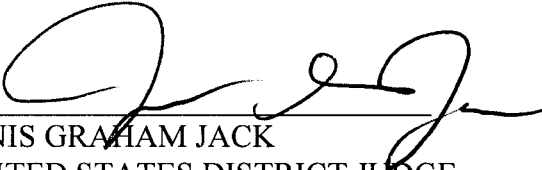
CR. NO. C-09-557

VERDICT OF THE COURT

Upon waiver by the defendant of trial by jury, the Court convened a trial on September 23, 2009, and the Court heard the evidence and arguments of counsel. The Court finds beyond a reasonable doubt that the defendant is guilty of the offense and enters a verdict of guilty as to Count One of the Indictment. The Court finds, as alleged, that the defendant did knowingly possess a firearm, namely a machine gun in operating condition, as defined in Title 26, U.S. Code, Section 5845(b), to-wit: a Heckler and Koch (HK), .308 caliber rifle, serial number A032370, with conversion sear, serial number K999, not registered to him in the National Firearms Registration and Transfer Record, i.e., *first*, that the defendant knowingly possessed a firearm; *second*, that the firearm was a machine gun, to-wit a Heckler and Koch (HK), .308 caliber rifle; *third*, that the defendant knew that the firearm was a machine gun as defined in Title 26, U.S. Code Section 5845(b); *fourth*, that the firearm was in operating condition; and *fifth*, that the firearm was not registered to the defendant in the National Firearms Registration and Transfer Record.

A presentence investigation report is ordered. Sentencing is set for Wednesday, December 9, 2009, at 10:00 o'clock a.m.

ORDERED this 24th day of September, 2009.



JANIS GRAHAM JACK
UNITED STATES DISTRICT JUDGE